THE LEGAL AND JUDICIAL VISTA OF ADOLESCENT PSYCHOLOGY AND JUVENILE DELINQUENCY IN INDIA – A CRITIQUE

A PROPOSED SYNOPSIS OF THE THESIS

IN PARTIAL FULFILLMENT OF THE REQUIREMENTS

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DOCTOR OF PHILOSOPHY

IN

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INTRODUCTION

Juvenile delinquency is a massive problem in the world, destroying the lives of the vast majority of young people. Juvenile crime and related issues have far-reaching implications for youth, their families, and society as a whole. The issue has an impact on the juvenile offenders' family, their future, and society as a whole in addition to the victims of the crime. The victims are those who are most obviously impacted by immature actions of youth. The economical and psychological problems that affect their families and society as a whole are the most severe effects of adolescent crime. Due to psychological problems, young people who commit robberies, rapes, and assaults are occasionally significant. Due to their involvement in criminal activities, juveniles grow hooked to alcohol or other narcotics Young people who commit serious crimes put their futures in danger to protest what they see as injustices done to them. People endure psychological distress as a result, which motivates them to commit further crimes. In this situation, research on the prevalence of juvenile delinquency is essential for understanding the causes with regard to psychological views and conditions in society. Given that a sizable portion of criminal careers have their origins in infancy, juvenile misbehavior serves as a doorway to adult crime. The number of juvenile delinquent cases is rising every year, even in industrialized nations, which is a significant issue for people all around the world.

Juvenile delinquency is not a recent problem. It was around in antiquity as well. The classic epic Mahabharata contains illustrations of young people who have bad tendencies. Despite these rare occurrences, the fact remains that a child's space for error was quite small back then due to an intrinsic social control mechanism. The social fabric was incredibly strong and, to some extent, immune to components that were antisocial. As a result, there was no clear legislation to address the issue of juvenile delinquency[1]. Both basic and sophisticated cultures experience it. In recent years, both the government and society have begun to pay more attention to children and their difficulties. We see that the youthful generation is significantly out of step with living a moral life in the twenty-first century. The larger problem for society is the pace at which young people engage in unethical behavior. Additionally, a framework for the administration of juvenile justice is required due to the rise in young offenders.

[1] Sunil K. Bhattacharyya, Juvenile Justice, An Indian scenario, Regency Publication, New Delhi, 2000, p. 2

LITERATURE REVIEW

In the Book "JUVENILE JUSTICE SYSTEM – INTERNATIONAL PERSPECTIVE" 2ND EDITION Edited by John A. Winterdyk has mentioned that how the rate of crime is increasing by juvenile around the world and each chapter gives the detail of different country.

In article"Juvenile Crime on the Rise, Handle Children with Care" written By Wasimul Haque published on https://www.mapsofindia.com/ has mentioned the crime record, factor which are responsible and percentage increased with time.

An article "JUVENILE DELINQUENCY IN INDIA "on http://indpaedia.com/ind/index.php/Juvenile_delinquency_in_India#Rape_and_murder_by_juveniles mentioned the year wise statistics of juvenile crime in India, Behavior trend in Juvenile , socio - economic – education profile of delinquents.

An article titled "Juvenile crimes in India" by Oishika Banerjee on https://blog.ipleaders.in/juvenile-crimes-india/ dated 17th January 2022 States the following

Symptoms of a child offender, Types of juvenile crimes in India , Reasons behind juvenile crimes In India , Need for sensitive handling of the juvenile crime challenge, Cases on juvenile crime in India, Penalties existing for juvenile offenders in India, Judiciary's take on existing penalties for juvenile offenders

An article "JUVENILE DELINQUENCY IN INDIA" published on https://www.researchgate.net/publication/342734513_JUVENILE_DELINQUENCY_IN_INDIA by Ms.Rajni Kohli & Ms. Kunjana Mittal Both Assistant Professor MMU,Mullana mentions detail regarding juvenile delinquency in India.

In the Book “THE JUVENILE JUSTICE SYSTEM IN INDIA – FROM WELFARE TO RIGHTS “Second Edition Oxford publication by VED KUMARI the detailed data is given Age wise arrest of Boys under IPC , Age wise Arrest of Girls under IPC, Decade wise cases of juveniles, Offence wise cases of Juveniles, Court wise cases of juveniles.

In the Book “THE JUVENILE JUSTICE (CARE AND PROTECTION OF CHILDERN) ACT 2015 –CRITICAL ANALYSES” Universal law Publication By VED KUMARI a detailed analyses of 2015 amendment act is given.

In the Book “ RETHINKING OF JUVENILE JUSTIVE SYSTEM IN INDIA” Bharti Publication by Editor in Chief Prof. (Dr.) Aditya Tomer different different article are published which cover subject like – Juvenile who happen to be young , juvenile criminal justice system around the world , Rehabilitation of Juvenile Offenders , Need for a change in Juvenile Justice System.

OBJECTS OF STUDY

The planned study's goal is to evaluate India's juvenile justice system. A micro-level analysis of the historical, legislative, executive, and judicial processes pertaining to juvenile justice in India is attempted in this study. This study also aims to identify the psychological causes of juvenile delinquency, discuss the issue from a sociological and criminological perspective, learn about current laws and policies in India regarding juvenile delinquency, and assess the merits and shortcomings of the current legislation in order to develop an extensive and integrated juvenile justice system in India. Since independence, the Juvenile Justice (Care and Protection of Children) Act of 2000 has been the most significant and forward-thinking piece of legislation in the juvenile justice area. The study's objectives include identifying the issues that hindered the proper administration of the Act and discussing how to determine a juvenile offender’s age. This

study's primary goal is to make recommendations for the actions needed to administer the Juvenile Justice (Care and Protection of Children) Act in an efficient manner.

RESEARCH HYPOTHESIS

Juvenile delinquency is a fast rising global problem that concerns both parents and governments, as these young brains are regarded the nation's future. Why is it that the law of the country is unable to reduce this? Is the Law inapplicable? Or are there other elements that require more attention? As an example, consider a child's psychological concerns and emotional well-being. Despite the fact that the Juvenile Justice (Care and Protection of Children) Act of 2000 is uniformly implemented across the country, it has not been successful in curbing juvenile misconduct. Horrible crime committed by teenagers aged 16 to 18 has escalated in recent years.

RESEARCH METHODOLOGY

The research work being done in the current study is doctrinal research, which entails the gathering of information from primary and secondary sources such several statues, Indian and international books of various writers, and articles found in journals and websites. An effort will be made to use fact and already-available information. The analytical approach will be used in the examination of juvenile social statutes and legal provisions. The study will be carried out to comprehend the historical context of India's juvenile justice system and how it is now being used.

WORK PLAN

The present study is divided into Six Chapters. Following is the scheme of presentation of the study;

Chapter- 1 '**Introduction**'

Chapter- 2‘**Concept meaning and cause of Juvenile Delinquency’**.

Chapter- 3 ‘**Statutory Provision of Juvenile Delinquency in India’**.

Chapter- 4 **‘Judicial Approach Regarding the Juvenile justice System’**.

Chapter- 5 **Psychological aspect of Juvenile Delinquency**

Chapter- 6 ‘**Conclusion and suggestion**’

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